

Fill in this information to identify your case:

Debtor 1 **Elmer R. Marchbanks, Jr.**  
First Name Middle Name Last Name

Debtor 2  
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF OHIO**

Case number **3:18-bk-33595**  
(if known)

☐ Check if this is an amended filing

## Official Form 108 Statement of Intention for Individuals Filing Under Chapter 7

12/15

If you are an individual filing under chapter 7, you must fill out this form if:

- ☒ creditors have claims secured by your property, or
- ☒ you have leased personal property and the lease has not expired.

You must file this form with the court within 30 days after you file your bankruptcy petition or by the date set for the meeting of creditors, whichever is earlier, unless the court extends the time for cause. You must also send copies to the creditors and lessors you list on the form

If two married people are filing together in a joint case, both are equally responsible for supplying correct information. Both debtors must sign and date the form.

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

**Part 1: List Your Creditors Who Have Secured Claims**

1. For any creditors that you listed in Part 1 of Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D), fill in the information below.

Identify the creditor and the property that is collateral	What do you intend to do with the property that secures a debt?	Did you claim the property as exempt on Schedule C?
Creditor's name: <b>Capital One Auto Finance</b>	<input checked="" type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> . <input type="checkbox"/> Retain the property and [explain]:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Description of property securing debt: <b>2013 Chevrolet Malibu 82000 miles 2013 Chevrolet Malibu Eco VIN #1G11D5SR6DF262442 82,000 Miles</b>		
Creditor's name: <b>Citifinancial</b>	<input checked="" type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> . <input type="checkbox"/> Retain the property and [explain]:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Description of property securing debt: <b>1989 Pontiac Firebird GTA VIN #1G2FW2188KL229704 130,000 Miles Vehicle doesn't run - hasn't been used in 5 years</b>		
Creditor's name: <b>Montgomery County Treasurer</b>	<input checked="" type="checkbox"/> Surrender the property.	<input type="checkbox"/> No

Debtor 1 **Elmer R. Marchbanks, Jr.**

Case number (if known) **3:18-bk-33595**

name:

☐ Retain the property and redeem it.

☒ Yes

Description of property **4808 Olive Road Dayton, OH  
45426 Montgomery County**  
securing debt:

☐ Retain the property and enter into a  
*Reaffirmation Agreement.*  
☐ Retain the property and [explain]:  
\_\_\_\_\_

Creditor's name: **Ohio Dept. of Taxation**

☒ Surrender the property.

☐ No

Description of property **4808 Olive Road Dayton, OH  
45426 Montgomery County**  
securing debt:

☐ Retain the property and redeem it.  
☐ Retain the property and enter into a  
*Reaffirmation Agreement.*  
☐ Retain the property and [explain]:  
\_\_\_\_\_

☒ Yes

Creditor's name: **U.S Attorney's Office**

☒ Surrender the property.

☐ No

Description of property **Past Due Taxes  
Notice Only**  
securing debt:

☐ Retain the property and redeem it.  
☐ Retain the property and enter into a  
*Reaffirmation Agreement.*  
☐ Retain the property and [explain]:  
\_\_\_\_\_

☒ Yes

Creditor's name: **Wells Fargo Bank NA**

☒ Surrender the property.

☐ No

Description of property **4808 Olive Road Dayton, OH  
45426 Montgomery County**  
securing debt:

☐ Retain the property and redeem it.  
☐ Retain the property and enter into a  
*Reaffirmation Agreement.*  
☐ Retain the property and [explain]:  
\_\_\_\_\_

☒ Yes

**Part 2: List Your Unexpired Personal Property Leases**

For any unexpired personal property lease that you listed in Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G), fill in the information below. Do not list real estate leases. Unexpired leases are leases that are still in effect; the lease period has not yet ended. You may assume an unexpired personal property lease if the trustee does not assume it. 11 U.S.C. § 365(p)(2).

**Describe your unexpired personal property leases**

**Will the lease be assumed?**

Lessor's name:  
Description of leased  
Property:

☐ No

☐ Yes

Lessor's name:  
Description of leased  
Property:

☐ No

☐ Yes

Lessor's name:  
Description of leased  
Property:

☐ No

☐ Yes

Lessor's name:  
Description of leased  
Property:

☐ No

☐ Yes

Lessor's name:

☐ No

Debtor 1 Elmer R. Marchbanks, Jr.

Case number (if known) 3:18-bk-33595

Description of leased  
Property:

☐ Yes

Lessor's name:  
Description of leased  
Property:

☐ No

☐ Yes

Lessor's name:  
Description of leased  
Property:

☐ No

☐ Yes

**Part 3: Sign Below**

Under penalty of perjury, I declare that I have indicated my intention about any property of my estate that secures a debt and any personal property that is subject to an unexpired lease.

X /s/ Elmer R. Marchbanks, Jr.  
Elmer R. Marchbanks, Jr.  
Signature of Debtor 1

X \_\_\_\_\_  
Signature of Debtor 2

Date March 11, 2021

Date \_\_\_\_\_

CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2021, a copy of the foregoing Statement of Intent and Notice of Meeting of Creditors was served on the following registered ECF participants, electronically through the Court's ECF System at the email address registered with the Court:

U.S. Trustee  
Chapter 7 Trustee

And on the following by ordinary U.S. Mail addressed to:

Elmer R. Marchbanks, Jr., 5475 Dunmore Drive, Dayton, Ohio 45459

Capital One Auto Finance c/o AIS Portfolio Services, LP, 4515 N. Santa Fe Avenue, Dept. APS, Oklahoma City, OK 73118

Citifinancial, 6044 Wilmington Pike, Dayton, Ohio 45459

Montgomery County Treasurer, 451 W. Third Street, Dayton, Ohio 45422-0002

Ohio Department of Taxation, PO Box 182401, Columbus, Ohio 43218-2401

Wells Fargo Bank NA, Attention Bankruptcy Department, 3476 Stateview Blvd., MAC D3347-014, Fort Mill SC 29715-7203

US Bank Trust, NA as Trustee for Cabana Series III Trust c/o BSI Financial Service, 1425 Greenway Drive, Suite 400, Irving, TX 75038

Citifinancial, 6044 Wilmington Pike, Dayton, Ohio 45459

/s/ John Frederick Kennel  
John Frederick Kennel